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- I. **Purpose.** This document covers policies for the procurement of IT goods and services in an emergency situation. All executive branch agencies and non-exempt institutions of higher education are subject to these policies and procedures, except those agencies and institutions explicitly exempted by the *Code of Virginia*.
- II. **Definition.** An *emergency* is a serious or urgent situation requiring immediate action to protect persons or property. The potential loss of funds at the end of a fiscal year is not considered an emergency.

Policies- What you need to do

- III. **General Information.** In case of an emergency, a contract may be awarded without competitive sealed bidding or competitive negotiation; however, the procurement shall be made with as much competition as is practicable.
- IV. **Notice of Award.** The agency or institution must post a written notice explaining that the contract is being awarded on an emergency basis and stating what is being procured, the supplier selected, and the date of the award. This notice shall be posted in a designated public area or published in a newspaper of general circulation on the day the public body awards or announces its decision to award the contract, whichever occurs first, or as soon thereafter as is practicable. All emergency procurements will also be posted on the eVA website.
- V. **Documentation.** Written documentation shall be maintained in the procurement file indicating the basis for the emergency, the steps taken to ensure as much competition as is practicable and the reason for selecting the specific supplier. The documentation must be signed by the agency head, VITA's SCM director or their designee. The documentation must be forwarded to VITA within 5 business days of contract award.

Authority Reference(s)

§2.2-4303(F) of the *Code of Virginia*. Provides requirements for completing emergency procurements